

REMARKS

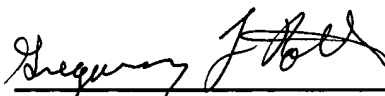
Claims 1-43 were presented for examination and are subject to restriction. In response to the requirement for restriction, applicant elects Group I containing claims 1-20. Applicant elects, under protest, the signal generator species of the invention. Claims 1-8, 11-13, 15, 16, 18-43 are consistent with this species.

Applicant traverses the restriction requirement. 35 U.S.C. § 121 permits a restriction requirement only when two or more claims have been shown to be both independent and distinct. Since the office action has not demonstrated that either requirement has been satisfied, there is insufficient basis to justify a restriction requirement. It is respectfully requested that the restriction requirement be withdrawn. Furthermore, group I contains linking claims to both group II and group III, making the restriction requirement improper. The overlapping fields of search further make restriction inappropriate.

Respectfully submitted,

Dated: September 21, 2004

By:



Gregory L. Roth
Reg. No. 26,224

Law Offices of Gregory L. Roth
6 Centerpointe Drive
Suite 780
La Palma, California 90623

Phone: (714) 521-1333
Facsimile: (714) 521-0447
E-mail: RothPatent@AOL.com